

REMARKS

This Amendment and Response is submitted to address the office action dated November 10, 2005. Claims 1-27 are pending and stand rejected. Reconsideration of this application is respectfully requested based on the amendments to the claims and arguments presented here.

In paragraph 2 and 3 of the office action, claims 11-13 and 16-17 are rejected under 35 U.S.C. Section 102(e) as unpatentable over Vong et al. (U.S. Patent No. 6,209,011, "Vong"). Claim 11 recites the step of *"receiving a request to clear a current attention request from the plurality of attention requests, said current attention request taken from said plurality of outstanding attention requests and deleting from memory any outstanding attention request that has been cleared and no longer requires the user's attention,"* which step is not taught by Vong.

In paragraph 4 of the office action, the Examiner rejected claims 1-10 and 18-27 under 35 U.S.C. 103(a) as unpatentable over Vong in view of Chari et al. (U.S. Patent No. 6,553,416). Further, in paragraph 5 of the office action, claims 14-15 are rejected under 35 U.S.C. Section 103(a) as unpatentable over Vong in view of Chari. Applicants respectfully submit that a combination of the two references as suggested by the Examiner is still improper and would not have obvious to one of ordinary skill in the art, as neither reference explicitly recites the motivation to combine the references as suggested by the Examiner.

Applicants appreciate the Examiner's indication of the motivation that both Vong and Chari teach an interface for managing and displaying alerts to the user, but dispute the reasoning. To establish motivation, the Examiner relies on a statement in Chari that *"prior art systems for displaying alerts take up and waste valuable time and bandwidth"* (see column 2, lines 39-63). From that statement in Chari, the Examiner concludes that Chari suggests conserving bandwidth and thus improving system processing time. Applicants respectfully submit that in order to improve time, Chari suggests that prior art systems display every alert. Furthermore, Applicants note that Chari suggests that prior

system conserve bandwidth to improve transmission time and thereby to decrease the traffic load on the network.

On the other hand, the Examiner alleges that deletion of undesired items from memory clears space, which results in improved processing time. Applicants respectfully submit that although the Examiner alleges that this fact is well known to those skilled in the art, it is not so in the context of the claimed inventions without the benefit of hindsight.

Once Again, Applicants respectfully request the Examiner to consider the cases below.

In re Raynes, 7 F.3d 1037, 1039 (Fed. Cir. 1993):

When determining whether a new combination of known elements would have been obvious in terms of 35 U.S.C. § 103, the analytic focus is upon the state of knowledge at the time the invention was made. The Commissioner bears the burden of showing that such knowledge provided some teaching, suggestion, or motivation to make the particular combination that was made by the applicant. *In re Oetiker*, 977 F.2d 1443, 1445-47, 24 U.S.P.Q.2D (BNA) 1443, 1444-46 (Fed. Cir. 1992); *In re Piasecki*, 745 F.2d 1468, 1471-72, 223 U.S.P.Q. (BNA) 785, 788 (Fed. Cir. 1984). This determination is made from the viewpoint of the hypothetical person of ordinary skill in the field of the invention. 35 U.S.C. § 103; *In re Gorman*, 933 F.2d 982, 986, 18 U.S.P.Q.2D (BNA) 1885, 1888 (Fed. Cir. 1991).

In re Deminski, 796 F.2d 436, 442 (Fed. Cir. 1986):

"There was no suggestion in the prior art to provide Deminski with the motivation to design the valve assembly so that it would be removable as a unit. The board argues that if Pocock had followed the "common practice" of attaching the valve stem to the valve structure, then the valve assembly would be removable as a unit. The only way the board could have arrived at its conclusion was through hindsight analysis by reading into the art Deminski's own teachings. Hindsight analysis is clearly improper, since the statutory test is whether "the subject matter as a whole would have been obvious at the time the invention was made." 35 U.S.C. § 103 (1982); *In re Spinnoble*, 56 C.C.P.A. 823, 405 F.2d 578, 585, 160 U.S.P.Q. (BNA) 237, 243 (CCPA 1969)."

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Conclusion

All of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request the Examiner to reconsider all presently outstanding rejections and to withdraw them. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

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By: /Reena Kuyper/
Reena Kuyper
Registration No. 33,830

9255 Sunset Blvd., Suite 810
Los Angeles, CA 90069
(310) 247-2860